

City of Detroit

CITY COUNCIL

DAVID D. WHITAKER

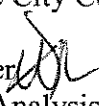
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TO: The Honorable City Council

FROM: David Whitaker 
Research and Analysis Division

DATE: July 11, 2008

RE: Amending Chapter 55, of the Detroit City Code, *Traffic and Motor Vehicles*, Article IX, *Motorcycles, Motor-Driven Cycles And Bicycles*, Division 3, *Bicycle Licensing*, by repealing Division 3, *Bicycle Licensing*.

At the Public Health and Safety Standing Committee meeting this morning, the Research and Analysis Division (RAD) was asked to provide the language necessary to repeal the section of the City Code that requires bicycles to be licensed, the fee associated with that license, and the regulations governing riding a bicycle in the City of Detroit.

Attached for your review is the language to repeal the appropriate section of the City Code.

It is recognized that registering and licensing bicycles is a necessary step to help prevent theft and to expedite the return of stolen bicycles to the proper owner. To that end, it was suggested that RAD work with the Police Department, Law, and local bicycling advocate groups to develop new language for this section of the Code that will address the charge for registration, recognition of bicycle registration in an other city, the fine for non-registered bicycles, and an informational campaign to alert citizens of the change in City of Detroit policy regarding bicycles.

The Police Department announced that it would begin issuing citations for non-registered bicycles in August. In order to implement City Council's public policy on bicycles this season, it is necessary to immediately repeal this section of the City Code, even though the replacement language has not yet been developed.

Should you need anything further, please advise.

SUMMARY

This proposed ordinance amends Chapter 55, of the 1984 Detroit City Code, titled *Traffic and Motor Vehicles*, Article IX, *Motorcycles, Motor-Driven Cycles And Bicycles*, by repealing Division 3, *Bicycle Licensing*, sections 55-9-42 through 55-9-48.

1 **By Council Member Sheila Cockrel**

2 **AN ORDINANCE** to amend Chapter 55, *Traffic and Motor Vehicles*, Article
3 IX, *Motorcycles, Motor-Driven Cycles And Bicycles*, by repealing Division 3, *Bicycle*
4 *Licensing*.

5 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT**
6 **THAT:**

7 **Section 1.** Chapter 55, Article IX, of the 1984 Detroit City Code be amended by
8 repealing Division 3, titled *Bicycle Licensing*.

9

10 **~~DIVISION 3. BICYCLE LICENSING~~**

11 **~~Sec. 55-9-42. Required.~~**

12 ~~It shall be unlawful for any person to operate or use a bicycle propelled wholly or in part~~
13 ~~by muscular power upon any of the streets or sidewalks of the city without first obtaining a~~
14 ~~license therefore from the city.~~ **REPEALED**

15 **~~Sec. 55-9-43. Issuance.~~**

16 ~~The police department is hereby authorized to issue a bicycle license sticker and~~
17 ~~registration certificate upon application and payment of required fee. The police department is~~
18 ~~authorized to publish rules and regulations permitting any person who is engaged in the business~~
19 ~~of selling bicycles to issue license stickers and registration certificates hereunder. The license,~~
20 ~~when issued, shall entitle the licensee to operate such bicycle in the city. The police department~~

1 shall keep a record of the date of issuance of each license, to whom issued and the number
2 thereof. **REPEALED**

3 **~~Sec. 55-9-44. Term.~~**

4 The license issued under this division shall be for a period of five (5) calendar years,
5 commencing January first of the calendar year during which the license is issued and expiring
6 December thirty first of the fifth year. **REPEALED**

7 **~~Sec. 55-9-45. Fees.~~**

8 The license fee to be paid for each bicycle license and registration certificate shall be one
9 dollar and shall be paid to the police department at the time of the issuance of the license. An
10 additional fee of one dollar will be charged for each license sticker issued to replace those stickers
11 that are lost, stolen or defaced. **REPEALED**

12 **~~Sec. 55-9-46. Registration certificate and license sticker; attachment of sticker to~~**
13 **~~bicycle.~~**

14 (a) ~~Registration certificates and license stickers shall have numbers stamped thereon in~~
15 ~~numerical order, beginning with number one, and shall show thereon the date of~~
16 ~~expiration. The number on the registration certificate, the license sticker and the police~~
17 ~~department's records shall correspond. A register shall be kept showing the date of the~~
18 ~~issuance of such registration certificates and license stickers, to whom issued, the number~~
19 ~~thereof, date of expiration, and such other information as may be pertinent.~~

20 (b) ~~Such license sticker shall be suitable for attachment upon the saddle post of bicycles,~~
21 ~~and it shall be the duty of the police department to attach the license sticker on the saddle~~
22 ~~post at a point between six (6) inches and nine (9) inches below the seat, in such position~~

1 so as not to cover the frame serial number of the bicycle, and to deliver the corresponding
2 registration certificate to the licensee upon the affixing of the license sticker on the
3 bicycle. The license sticker shall remain attached to the bicycle until expiration of same
4 or transfer of ownership of bicycle. **REPEALED**

5 **~~Sec. 55-9-47. Destruction, etc., of license sticker, registration certificate, etc.;~~**
6 **~~destruction, etc., of bicycle frame numbers; authority of police to stamp numbers on~~**
7 **~~bicycle frames.~~**

8 It shall be unlawful for any person to wilfully or maliciously remove, destroy, mutilate or
9 alter the frame serial number of any bicycle licensed pursuant to this division. It shall also be
10 unlawful for any person to remove, destroy, mutilate or alter any license sticker or registration
11 certificate during the time in which such license sticker or registration certificate is in effect.
12 Nothing in this division shall prohibit the police department or other authorized licensing agent
13 from stamping numbers on the frames of bicycles on which no serial number can be found or on
14 which such number is illegible or insufficient for identification purposes. **REPEALED**

15 **~~Sec. 55-9-48. Reports of sales or transfers.~~**

16 It shall be the duty of every person who sells or transfers ownership of any bicycle to
17 report such sale or transfer by returning to the police department the registration certificate issued
18 to such person as licensee thereof, together with the name and address of the person to whom
19 such bicycle was sold or transferred. Such report shall be made within seven (7) days of the date
20 of sale or transfer. It shall be the duty of the purchaser or transferee of such bicycle to apply for a
21 new license sticker and registration certificate within seven (7) days of the sale or transfer and to
22 pay the one dollar license fee. **REPEALED**